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Human Rights Council
Thirty-seventh session
26 February-23 March 2018
Agenda item 10
Technical assistance and capacity-building

Written statement* submitted by Amnesty International, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement, which is hereby circulated in accordance with Economic and Social Council resolution 1996/31.

[16 February 2018]

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Please recycle

CAMBODIA: ONGOING CRACKDOWNS ON THE POLITICAL OPPOSITION, CIVIL SOCIETY AND INDEPENDENT MEDIA MUST BE ADDRESSED BY THE UN HUMAN RIGHTS

Overview

In September 2017, the UN Special Rapporteur on the Situation of Human Rights in Cambodia warned that Cambodia "seems to be moving inexorably towards a precipice."1 Since the Special Rapporteur sounded the alarm, the situation has further worsened. The Government has deepened its crackdown on the political opposition, independent media, civil society, human rights defenders and activists.

The 37th session provides one last opportunity for the Council to address this deteriorating human rights situation before the Cambodian general elections, scheduled for 29 July 2018. Amnesty International therefore calls on the Council to hold an Urgent Debate on Cambodia to address the further deterioration of the situation since the last resolution was adopted in September 2017, to mandate further reporting and discussion on the situation ahead of the elections in July 2018 (ahead of, or during, the 38th session of the Council), and to call on the Government of Cambodia to change course towards full compliance with its obligation to protect and respect human rights.

SUPPRESSION OF POLITICAL OPPONENTS

Since mid-2015, Cambodia's main opposition party, the Cambodia National Rescue Party ("CNRP"), has been under relentless suppression by the Government, the judiciary and Cambodia's ruling party, the Cambodian People's Party ("CPP").

In July and August 2015, 14 CNRP officials and supporters were convicted for leading and/or participating in an "insurrection" related to a demonstration in July 2014.2 In October 2015, two CNRP lawmakers were brutally beaten by members of Hun Sen's bodyguard unit on the steps of the National Assembly building.3

In 2017, the crackdown on the CNRP intensified in the context of the June 2017 Commune elections, and the lead up to the July 2018 general elections. Prime Minister Hun Sen pressured Cambodia's CPP-dominated legislature into the rushed adoption of a series of controversial laws. The adoption of two rounds of amendments to the Law on Political Parties in February and July 2017,4 for example, provided the Executive with unfettered powers to dissolve political parties. These amendments were passed without adequate transparency, or public or parliamentary debate.5

The Government and the CPP have used the criminal justice system to target the main opposition party.6 Kem Sokha, the president of the CNRP, was arrested, despite his parliamentary immunity, at his house in Tuol Kork in Phnom Penh

1http://cambodia.ohchr.org/sites/default/files/Rhona%20Smith%20Statement%20HRC36%2027%20September%202017%20-%20FINAL.pdf.

2 https://www.amnesty.org/en/documents/asa23/2173/2015/en/

3 http://www.phnompenhpost.com/national/lawmakers-beaten-national-assembly.

4http://cambodia.ohchr.org/sites/default/files/Analysis%20on%20the%20Amended%20Law%20on%20Political%20Parties%2028%2003%202017%20FINAL%20no%20TC.pdf; http://cchrcambodia.org/admin/media/analysis/analysis/english/2017-07-19-CSO-ssubmit-Legal-Analysis-of-Proposed-Amendment-to-LPP-to-CC_ENG.pdf.

5 https://www.voacambodia.com/a/hundreds-of-cambodian-commune-chiefs-face-expultion-months-into-job/4075663.html

6 https://www.amnesty.org/en/documents/asa23/6059/2017/en/.

during a night raid on 3 September 2017 on the basis of charges of "conspiracy with a foreign power" (Article 443 of the Cambodian Criminal Code), for which the sentence is up to 30 years' imprisonment.7 While judicial investigations are still on-going, he has been denied bail, including on appeal, and continues to be held in pre-trial detention at Correctional Centre 3, despite his severely deteriorating health.8

The Supreme Court, composed of judges sitting on the CPP's highest central committees and with personal ties to the Prime Minister, ruled to dissolve the CNRP on 16 November 2017 on allegations of having conspired to carry out a so-called "colour revolution," constituting a serious violation of the CNRP members' rights to freedom of expression and association.9 At the same time, the Court ruled to ban 118 senior CNRP officials from political activity for five years for allegedly conspiring to overthrow the Government.10 These measures have contributed to more than half of the opposition's key figures fleeing the country due to fear of arbitrary arrest, harassment, threats and reprisals.11

These actions, and other less conspicuous ones, suggest an orchestrated attack is being carried out by the Government and ruling party on the main opposition party in the lead up to this year's election. The judiciary, law enforcement and the parliament appear to being used as instruments.

ATTACKS ON CIVIL SOCIETY AND THE MEDIA

Amnesty International is also deeply concerned about the wider attack by the Cambodian authorities on peaceful, independent voices in the country, in particular the targeting of civil society, independent media and those critical of the Government.

Civil society

The Cambodian authorities have arbitrarily and sweepingly restricted the rights of civil society groups and individuals to freedom of expression, peaceful assembly and association. 2017 saw the first enforcement of the controversial and vaguely worded Law on Associations and Non-Government Organisations (most commonly known as the "LANGO"), a law that was adopted in August 2015, without meaningful consultations with affected groups or the wider public. The LANGO imposes a number of sweeping restrictions on, and oversight of, non-governmental organisations ("NGOs") in Cambodia. Notably, it has introduced a mandatory registration scheme for NGOs and given Cambodian authorities unchecked authority to deny registration requests.12 It includes vaguely worded grounds for denial of registration, temporary suspension and dissolution of NGOs.13

In late September 2017, local land rights organisation Equitable Cambodia ("EC") was ordered by the Ministry of Interior to suspend its activities for 30 days for alleged violations of Articles 10 and 25 of the LANGO and its bylaws. Although the suspension period had lapsed in mid-November, EC has so far not been given permission to resume its activities.14 In November 2017, Prime Minister Hun Sen had threatened to close prominent human rights NGO, the

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7 https://www.amnesty.org/en/documents/asa23/7623/2017/en/ ; https://www.amnesty.org/en/documents/asa23/7825/2018/en/.

8 http://www.khmertimeskh.com/50107376/kem-sokhas-team-demands-bail/ ; http://www.scmp.com/news/asia/southeast-asia/article/2131622/jailed-cambodian-opposition-leader-kem-sokhas-bail-denied.

9 https://www.amnesty.org/en/latest/news/2017/11/cambodia-banning-of-opposition-party-a-blatant-act-of-political-repression/.

10 http://www.phnompenhpost.com/national-politics/national-police-ordered-analyse-banned-opposition-members-finances.

11http://www.phnompenhpost.com/national-post-depth-politics/analysis-if-cnrp-dissolved-cpps-efforts-rid-itself-challenger-will-be.

12 Article 8(4), 11 of the LANGO.

13. Article 24, 30 and 31 of the LANGO; see also http://cchrcambodia.org/admin/media/report/report/english/2017-08-10-CCHR-FFMP-Annual-Report-Eng.pdf.

14 http://www.phnompenhpost.com/national-politics/eu-calls-suspension-land-rights-ngo-be-lifted.

Cambodian Centre for Human Rights ("CCHR"), but a week later declared he would allow CCHR to remain open after the Ministry of Interior had conducted an investigation.15

A number of activists have been detained on the basis of the peaceful exercise of their rights to freedom of expression and assembly. For example, prominent land activist Tep Vanny,16 from the Boeung Kak Lake Community, was arrested on 15 August 2016 and convicted of "incitement" under Article 495 of Cambodian Criminal Code, following her participation in a peaceful "Black Monday" protest that called for the release of five detained human rights defenders. She was held in pre-trial detention and charged with a series of reactivated dormant charges stemming from her participation in two peaceful protests, in 2011 and 2013. She has since been convicted and sentenced to prison in both cases, and is currently serving her 30 months prison sentence, while a six months prison sentence is pending enforcement by the Prosecutor.17

Media

In August 2017, the Government ordered the closing down of 32 radio stations, which broadcast programmes from US-based Radio Free Asia and Voice of America, as well as Cambodian radio programme Voice of Democracy, which were widely listened to by Cambodia's population. For parts of Cambodia's rural population where Internet access is not yet available, these radio broadcasts were an essential source of independent news. In September, popular broadcaster Radio Free Asia decided to permanently end its in-country operations in Cambodia, citing government repression as the main reason.18 In November, two of its former journalists, Yeang Sothearin and Uon Chhin, were arbitrarily detained and charged with "espionage" under Article 445 of the Cambodian Criminal Code. If convicted, they face up to 15 years in prison.19

On 4 September 2017, the country's longest-running English-language newspaper, *The Cambodia Daily*, was forced to shut down, after it had failed to meet a deadline to pay an allegedly unpaid USD 6.3 million tax bill the Government arbitrarily imposed on the newspaper in August.20.

RECOMMENDATIONS

In light of the above concerns, Amnesty International calls on the Council to:

- Hold an Urgent Debate to address the deteriorating human rights situation in Cambodia, and to identify concrete actions that must be taken to end human rights violations, redress past ones and prevent a further repression.
- Mandate additional reporting and discussion of the situation for the 38th session of the Council in June, ahead of the Cambodian general elections in July 2018.

During an Urgent Debate and/or the Item 10 General Debate, we call on all states to urge the Cambodian authorities (in individual statements or a joint statement) to ensure the full respect for and protection of human rights in the country, in particular the rights to freedom of expression, peaceful assembly and association, in accordance with international law, including by:

- Stopping all repression of peaceful activism by human rights defenders, activists or the political opposition;

15. https://www.amnesty.org/en/documents/asa23/7517/2017/en/.

16. https://www.amnesty.org/en/documents/asa23/6937/2017/en/.

17 https://www.amnesty.org/en/latest/news/2017/12/supreme-court-verdict-against-tep-vanny-and-other-activists-exposes-cambodias-courts-of-injustice/.

18 http://www.phnompenhpost.com/national/rfa-shuts-down-cambodia-operations-amid-media-crackdown.

19 https://www.amnesty.org/en/documents/asa23/7563/2017/en/.

20 https://www.amnesty.org/en/latest/news/2017/09/cambodia-closure-of-newspaper-points-to-escalating-crackdown/.

- Immediately and unconditionally releasing all prisoners of conscience, including human rights defenders, activists and members or supporters of the opposition detained or imprisoned solely for their peaceful exercise of their rights to freedom of expression, assembly and association;
- Amending or repealing the Law on Political Parties and the Law on Associations and Non-Governmental Organisations (LANGO), in accordance with Cambodia's international human rights obligations, in an open, public and transparent manner, and in consultation with affected individuals and groups and the public at large.

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Agenda item 4
Human rights situations that require the Council's attention

Written statement* submitted by Amnesty International, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement, which is hereby circulated in accordance with Economic and Social Council resolution 1996/31.

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HUMAN RIGHTS COUNCIL MUST ADDRESS DRAMATIC DETERIORATION OF HUMAN RIGHTS SITUATION IN MYANMAR

The situation in Myanmar has deteriorated dramatically in the last year, and across the country the military has committed wide-ranging human rights violations. Amnesty International and others have documented crimes against humanity committed by the security forces against the Rohingya population in Rakhine state. In northern Myanmar, we have documented war crimes and violations of international human rights law committed by the military against ethnic minority civilians. Those working to document and expose military abuses have faced arrest, detention, and intimidation.

The severity of the situation cannot be understated. Myanmar today increasingly – and alarmingly – resembles the Myanmar of old. The civilian government, while holding no formal power over the military, has failed to curb the violence, and instead has often fostered rather than challenged impunity and discrimination. The country risks regressing still further unless there is a major change in course. This not only necessitates a fundamental change from Myanmar's civilian and military authorities, but also much more effective action from the international community. At the upcoming session, the UN Human Rights Council ("the Council") must send a clear message to Myanmar's leaders that human rights violations – both past and ongoing – will not go unpunished.

THE SITUATION IN RAKHINE STATE

Rakhine State has plunged even further into crisis after security forces unleashed a campaign of violence against the Rohingya population living in the northern part of the state, following co-ordinated attacks by the armed group the Arakan Rohingya Salvation Army (ARSA) on 25 August 2017. Since then, security forces have killed Rohingya women, men and children; raped women and girls; laid landmines; and burned hundreds of Rohingya villages, acts which amount to crimes against humanity.[1] More than 680,000 Rohingya have fled to Bangladesh, and even today, security forces continue their efforts to drive the remaining population out of the country though forced starvation and threats of further violence.[2] Rohingya who remain in Rakhine State continue to live under a system amounting to apartheid, which severely restricts virtually every aspect of their lives and segregates them from the rest of society.[3] While their right to return home is inalienable, until this system is dismantled, safe and dignified returns are not possible, and plans for any organized repatriation are woefully premature.

The Myanmar authorities have proven both unable and unwilling to adequately investigate human rights violations against the Rohingya, let alone bring perpetrators to justice. In November 2017, an army investigation team claimed to have found no evidence of wrongdoing by security forces in northern Rakhine State.[4] The authorities have also failed to take effective action to address the systematic racial and religious discrimination which forms the backdrop of the current crisis.

Other communities living in Rakhine State also suffer human rights violations at the hands of the security forces, and it is essential that impunity is not allowed to prevail. In particular, the police killing of seven ethnic Rakhine protesters in

1 Amnesty International, *"My world is finished": Rohingya targeted by crimes against humanity in Myanmar* (ASA 16/7288/2017), 18 October 2017.

2 Amnesty International, *Myanmar forces starve, abduct and rob Rohingya, as ethnic cleansing continues* (Index: ASA 16/7835/2018, 7 February 2018.

3 Amnesty International, *"Caged without a Roof": Apartheid in Myanmar's Rakhine State* (Index: ASA/16/7436/2017), 21 November 2017.

4 "Information released by the Tatmadaw True News Information Team on the findings of the Investigation Team in connection with the performances of the security troops during the terrorist attacks in Maungtaw region, Rakhine State", 13 November 2018.

Mrauk-U town in January must be independently and impartially investigated and those responsible brought to justice.5

ARMED CONFLICTS IN NORTHERN MYANMAR

While significant international attention has focused on the situation in Rakhine State, there are also ongoing violations against other ethnic minorities, in particular in Kachin and northern Shan States, where armed conflicts between the army and ethnic armed groups continue. As is too often the case, civilians have borne the brunt of conflict. The Myanmar military has committed wide-ranging violations against ethnic minority civilians, including extrajudicial executions, enforced disappearances, indiscriminate shelling of civilian areas, arbitrary arrest, torture, and forced labour. Ethnic armed groups have also committed human rights abuses including killings, abduction and forcible recruitment.6 There are deeply worrying reports of further civilian casualties and displacement during increased fighting in Kachin State since the start of 2018.

The conflicts in northern Myanmar have displaced more than 100,000 civilians. The civilian and military authorities have exacerbated civilian suffering by maintaining severe restrictions on humanitarian access, in particular to areas controlled by ethnic armed groups.

RESTRICTIONS ON FREEDOM OF EXPESSION

The last year has seen an alarming erosion in the space for a free media in Myanmar. Journalists have faced increased intimidation, and several have been arrested and prosecuted in connection with their work.7 Those who help expose human rights violations also risk reprisals, including arrest and prosecution.8
Threats to media workers occur in a wider context where the rights to freedom of expression, association and peaceful assembly remain severely restricted. To date, the civilian-led administration has failed to make meaningful progress on repealing or amending repressive laws, including those identified by the Special Rapporteur on the situation of human rights in Myanmar.9

COOPERATION WITH UN HUMAN RIGHTS MECHANISMS

In light of the scale of the human rights crisis in the country, Amnesty International is deeply troubled by the Myanmar government's increasing non-cooperation with UN human rights mechanisms, most recently its decision in December 2017 to bar the Special Rapporteur on the situation of human rights in Myanmar from the country.10 The Council must send a strong message that any obstruction of the Special Rapporteur from discharging her mandate is unacceptable.

The decision to bar the Special Rapporteur comes amidst increasing hostility to the UN, in particular Myanmar's continued rejection of the UN Fact-Finding Mission, and its ongoing lack of cooperation with the Office of the High Commissioner for Human Rights. The Council should make clear that unless the Government of Myanmar cooperates with existing UN human rights mechanisms in the coming months, it will seek additional means of addressing the situation.

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5 Amnesty International, *Myanmar: Investigate police killings of Rakhine State protesters*, 17 January 2018, https://www.amnesty.org/en/latest/news/2018/01/myanmar-investigate-police-killings-of-rakhine-state-protesters/

6 Amnesty International, *"All the civilians suffer": Conflict, displacement and abuse in northern Myanmar* (ASA 16/6429/2017), 14 June 2017.

7 Amnesty International, *Two journalists face up to 14 years in prison* (Index: ASA 16/7698/2018), 10 January 2018.

8 Amnesty International, *Kachin pastor sentenced to four years in prison* (Index: ASA 16/7554/2017), 5 December 2017.

9 *Report of the Special Rapporteur on the situation of human rights in Myanmar*, UN Doc. A/HRC/31/71, 18 March 2016, Annex I: Legislation in need of reform in Myanmar.

10 *The Irrawaddy*, "Myanmar Ends Cooperation with UN Rights Rapporteur"", 20 December 2017, https://www.irrawaddy.com/news/burma/myanmar-ends-cooperation-un-rights-rapporteur.html

Amnesty International recommends that the Human Rights Council:

- Extend the mandate of the Special Rapporteur and urge the government to cooperate fully with her, including by granting full and unfettered access to all parts of the country;
- Call on the Government of Myanmar to cooperate fully with the Fact-Finding Mission, including by allowing its members full and unfettered access to all parts of the country and to all persons it wishes to interview.
- Ensure that the Fact-Finding Mission has adequate resources to undertake its mandate;
- Request the Fact-Finding Mission, as part of its final report and in line with its mandate, present recommendations for accountability for crimes against humanity, war crimes, and serious human rights violations and ensure that the final report is transmitted the UN Security Council and General Assembly.

Amnesty International recommends that the Council calls on the Government of Myanmar to:

- Immediately cease all violations of international human rights and humanitarian law, in particular in Rakhine, Kachin and northern Shan States;
- Provide humanitarian organizations with sustained and unimpeded access to all populations in need of assistance;
- Take immediate and effective action to address the longstanding discrimination against Rohingya and other Muslims in Rakhine State, including by ensuring that the right to a nationality is granted free of discrimination, and by removing arbitrary and discriminatory restrictions on freedom of movement as well as access to healthcare, education and other services;
- Condemn all incitement to racial or religious hatred and take concrete steps to end it;
- Release immediately and unconditionally all prisoners of conscience and drop charges against all those facing criminal proceedings solely for the peaceful exercise of their human rights;
- Repeal or amend all laws that violate the human rights to freedom of expression, peaceful assembly and association, in compliance with international human rights law and standards;
- Ensure accountability for human rights violations committed by Myanmar's security forces and suspend from active duty military or police personnel suspected of involvement in violations of international law pending the completion of investigations;
- Cooperate fully with the Special Rapporteur and Fact-Finding Mission, ensuring they have full and sustained access to all parts of the country;
- Facilitate the establishment of an OHCHR country office, able to operate throughout Myanmar with a full mandate to promote and protect human rights.

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Please recycle

Human Rights Council should renew the mandate of the UN Special Rapporteur on Iran amid worsening human rights record

Amnesty International is concerned at the scale of human rights violations in the Islamic Republic of Iran perpetrated against the backdrop of the country's improving relations with the international community. The Iranian authorities have continued to use the death penalty against juvenile offenders at a pace that appears to be accelerating; heavily suppressed freedoms of expression, association and peaceful assembly; and imposed increasingly harsh prison sentences against peaceful activists and human rights defenders. Torture is committed with widespread impunity; and floggings, amputations and other cruel punishments continue to be imposed and carried out.

Iran has not allowed any mandate holders to visit the country since 2005. Human rights defenders who have communicated with UN human rights mechanisms have faced reprisals by the Iranian authorities.

For these reasons, Amnesty International calls on the UN Human Rights Council to renew the mandate of the Special Rapporteur on the human rights situation in Iran. This mandate has played a critical role in shedding light on violations taking place in the country and holding the authorities to account.

DEATH PENALTY

Amnesty International welcomes Iran's attempts at reducing its reliance on the death penalty for drug-related offenses. In 2017, Iranian parliamentarians amended the country's Anti-Narcotics Law to increase the amount of drugs that an accused must be in possession of for a death sentence.1 The authorities have since imposed a temporary moratorium on drug-related executions and indicated that about 15,000 individuals will have their death sentences for drug-related offenses reviewed to assess their eligibility for commutation under the amended legislation.2 If implemented properly, this will contribute to a drop in the number of executions.

Nevertheless, Iran's widespread use of the death penalty remains of great concern. Iranian law still retains the death penalty for a wide range of drug trafficking offences. Iran also continues to use the death penalty for vaguely worded offences such as "enmity against god" (*moharebeh*) and "spreading corruption on earth" (*efsad-e fel arz*), which do not amount to an internationally recognizable criminal offense. People have also been sentenced to death for the peaceful exercise of their rights to freedom of religion and belief.

Amnesty International's research has shown that judicial proceedings in death penalty cases routinely lack basic fair trial guarantees with courts relying on "confessions" extracted under torture to issue convictions.3

Despite being a party to the Convention on the Rights of the Child, the Iranian authorities have continued to use the death penalty against juvenile offenders. Between 2005 and 2018, Amnesty International recorded the execution of 88 people who were under the age of 18 at the time of the crime. This includes four in 2017 and already three to date in 2018, of **Amirhossein Pourjafar**,4 **Mahboubeh Mofidi**5 and **Ali Kazemi**.6

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1 Amnesty International, *Iran must not squander opportunity to end executions for drug-related offences* (Press release, 28 July 2017), https://www.amnesty.org/en/latest/news/2017/07/iran-must-not-squander-opportunity-to-end-executions-for-drug-related-offences/

2 "Suspending death sentences for drug-related offenses on the order of the Head of the judiciary", *Tasnim News*, 9 January, 2018, https://goo.gl/WXDMQD

3 For more information, see Amnesty International, *Iran: Broadcasting injustice, boasting of mass killing: a case study of August 2016 execution of 25 Sunni men in Iran* (Index: MDE 13/5079/2016)

4 Amnesty International, *Iran: 17-year-old boy at risk of imminent execution* (Press release, 13 October 2017), https://www.amnesty.org/en/press-releases/2017/10/iran-17-year-old-boy-at-risk-of-imminent-execution/

Amnesty International has also identified at least 80 juvenile offenders on death row, including **Abdolfazl Chezani Sharahi**,7 **Hamid Ahmadi**8 and **Abolfazl Naderi**9 who are currently at imminent risk. The real number is likely much higher.

PERSECUTION OF HUMAN RIGHTS DEFENDERS

The election of President Hassan Rouhani in 2013 gave rise to a global perception that the human rights situation in Iran may improve. In reality, however, the authorities have been ramping up already suffocating levels of repression. Since 2013, scores of human rights defenders have received harsh prison sentences for national security related offences stemming entirely from their peaceful human rights activities.10

Human rights activities increasingly cited as "evidence" of criminal activity include: discussing human rights violations on social media like Facebook or Twitter; having contact with victims of human rights violations and their families; denouncing human rights violations through media interviews; and signing petitions in support of human rights.11
Communicating about human rights concerns with nongovernmental organizations such as Amnesty International or with intergovernmental organizations such as the UN and the European Union has also become "evidence" of criminal activity. For example, the criminal case against **Narges Mohammadi**, who is serving a 16-year prison sentence, was opened after she met with the EU High Representative for Foreign Affairs in 2014.12 In another case, **Arash Sadeghi** is serving a 19-year prison sentence imposed entirely for his peaceful human rights work, including communicating with Amnesty International.13
Human rights defenders who have faced reprisal for sending information to the UN Special Rapporteur on the situation of human rights in Iran include **Mohammad Maleki**, who has been subjected to a travel ban since September 2011, and **Saeed Shirzad**, who is serving a five-year prison sentence.14

Women who have peacefully protested against compulsory veiling have also faced arbitrary detention and prosecution. Compulsory veiling has violated women's rights in Iran for decades, including their rights to non-discrimination, freedom of belief and religion, freedom of expression, and protection from arbitrary arrests and detention, torture and other ill-treatment.15

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5 "The terrible crime of a 17 year old woman, one month after the marriage", *Ham Shahr*, 20 September 2014, http://www.hamshahrionline.ir/details/272376

6 Amnesty International, *Iran: Authorities execute man in exceptionally cruel circumstances* (Press release, 30 January 2018), https://www.amnesty.org/en/latest/news/2018/01/iran-authorities-execute-man-in-exceptionally-cruel-circumstances/

7 Amnesty International, *Iran: Teen arrested at 14 still at risk of execution: Aboltazl Chezani Sharahi* (Index: MDE 13/7745/2018)

8 Amnesty International, *Iran: Further Information: Man arrested at 17 at risk of execution: Hamid Ahmadi* (Index: MDE 13/7741/2018)

9 Amnesty International, *Iran: 21-year old man arrested at 16 at risk of execution: Aboldfazl Naderi* (Index: MDE 13/7859/2018

10 For more information, see Amnesty International, *Caught in a web of repression: Iran's human rights defenders under attack* (Index: MDE 13/6446/2017

11 For more information, see Amnesty International, *Caught in a web of repression: Iran's human rights defenders under attack* (Index: MDE 13/6446/2017

12 Amnesty International, *Iran: Shameful 16-year sentence for Narges Mohammadi a devastating blow to human rights* (Press release, 28 September 2016) https://www.amnesty.org/en/latest/news/2016/09/iran-shameful-16-year-sentence-for-narges-mohammadi-a-devastating-blow-to-human-rights/

13 Amnesty International, *Iran: Further information: human rights defender being tortured in Evin*: Arash Sadeghi (Index: MDE 13/5811/2017)

14 Amnesty International, Iran vilifies human rights defenders as 'enemies of the state' (Press release, 2 August 2017), https://www.amnesty.org/en/latest/news/2017/08/iran-vilifies-human-rights-defenders-as-enemies-of-the-state/

15 Amnesty International, *Iran: Compulsory veiling is abusive, discriminatory and humiliating, end the persecution of women for peacefully protesting against it* (Index: MDE 13/7783/2018)

REPRESSION OF DECEMBER 2017 PROTESTS

The mass arbitrary arrests that followed the nationwide protests of December 2017, the lethal use of firearms by security forces against protestors, which resulted in the death of at least 25 people, and the number of deaths in custody have heightened concerns about systematic human rights violations in Iran.

According to MP Alireza Rahimi, by February 2018 some 4972 people had been arrested in relation to the protests.16 Amnesty International is alarmed at the scale of arrests, and believes that many of those arrested were targeted for peacefully protesting.

The Iranian authorities denied detainees' access to lawyers during interrogations and there are grave concerns that they may use "confessions" made under torture and other ill-treatment as "evidence" in legal proceedings.

Since the start of the crackdown, there have been at least four deaths in custody. In three of the cases – **Sina Ghanbari, Kavous Seyed-Emami** and **Vahid Heydari**, the authorities announced immediately that the deaths were the result of suicide – claims which were strongly disputed by family members and activists. On 13 January 2018, the death of a fourth man **Saro Ghahremani** who had been arrested during the protests and held in a Ministry of Intelligence facility in Sanandaj, Kurdistan province, was reported. His relatives said that his body bore marks of torture.

In all four cases, the authorities refused to allow independent investigations, including independent autopsies, and harassed and intimidated the bereaved families in an apparent effort to silence them.

Disturbingly, the authorities also resorted to propaganda tactics to demonize the deceased publicly. In the cases of Sina Ghanbari and Vahid Heydari, officials claimed that the men were "drug addicts" without elaborating on how this is relevant to the circumstances of their deaths.17 18

In the case of Saro Ghahremani, Iranian officials stated that he was the member of "an armed terrorist group" and was shot dead during the course of an armed confrontation with security forces.19 His family disputed the claim.

The authorities' refusal to handover Kavous Seyed-Emami's body to his family unless no independent autopsy took place heightened concerns that he was subjected to torture. He had been arrested on 24 January 2018 on national security charges stemming from his peaceful environmental activism. 20

CONCLUSION

Amnesty International urges the Human Rights Council to renew the mandate of the Special Rapporteur to continue the important work carried out to date. Moreover we urge the Iranian authorities to cooperate fully with this mandate, as well as other mandates, and to take the following steps:

Death Penalty

- Abolish the death penalty for all drug-related offenses as a first step to abolish the death penalty for all offenses;
- Immediately establish an official moratorium on all executions, including those of juvenile offenders, and

16 'Nearly five thousand people' were arrested during the Dey month protests, *BBC Persian*, 2 February 2018, http://www.bbc.com/persian/iran-42920679

17 "The Attorney General's explanations regarding the suicides in the recent days", *Iranian Students' News Agency*, 11 January 2018, https://goo.gl/FfhRgV

18 "Identities of detainees and those individuals who committed suicide during recent events/The situation of those cases facing prosecution", *Iranian Student' News Agency*, 14 January 2018, https://goo.gl/BeaZHQ

19 "The story of Saro Gharemani: from armed confrontation to membership in a terrorist group + his documents and photographs", Tasnim News, 15 January 2018, https://goo.gl/w1Zaf5

20 Amnesty International, *Iran: Authorities refuse to release Canadian-Iranian academic's body for independent autopsy in "callous cover-up"* (Press release, 12 February 2018), https://www.amnesty.org/en/latest/news/2018/02/iran-authorities-refuse-to-release-canadian-iranian-academics-body-for-independent-autopsy-in-callous-coverup/

commute all death sentences without delay;

- Amend Article 91 of the 2013 Islamic Penal Code (IPC) to abolish the use of the death penalty for crimes committed by individuals below the age of 18, in line with Iran's human rights obligations under the International Covenant on Civil and Political Rights and the Convention on the Rights of the Child.

Persecution of human rights defenders

- Immediately and unconditionally release all human rights defenders imprisoned solely for peacefully exercising their rights to freedom of expression, association and assembly;
- End the abuse of the criminal justice system to repress peaceful activities that promote and defend human rights, including communication with international and regional human rights mechanisms;
- End the persecution of women who oppose humiliating and discriminatory laws banning women's appearance in public without a headscarf and repeal Article 368 of the IPC.

Crackdown on protests

- Respect the right to peaceful protest and immediately and unconditionally release those held solely for peacefully taking part in demonstrations;
- Conduct independent, impartial and transparent investigations into the deaths in custody, the killings and reports of excessive or unnecessary force and ensure that anyone reasonably suspected of human rights violations is prosecuted in a fair trial;
- Protect all detainees from torture and other ill-treatment and ensure that they have access to a lawyer of their choice during interrogations.